

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DEBORAH BELLE,)	
Individually, and on behalf)	
of all others similarly situated,)	
)	
Plaintiffs,)	NO. L 02 CV 3309
)	
v.)	
)	
NCO FINANCIAL SYSTEMS, INC.,)	
A Pennsylvania Corporation)	
)	
and)	
)	
JOHN DOE)	
)	
Defendants.)	

**RESPONSES TO PLAINTIFF, DEBORAH BELLE'S
REQUEST FOR PRODUCTION OF DOCUMENTS**

NOW INTO COURT, through undersigned counsel, comes defendant, NCO Financial Systems, Inc., ("NCO"), and in response to Deborah Belle's first Request for Production of Documents, respectfully avers:

1. All documents relating to the alleged debt of Plaintiff, Deborah Belle and the collection thereof.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 1

Defendant objects to the Request as overbroad. Notwithstanding said objection, responsive documents identified and attached to Interrogatory No. 10.

2. All documents relating to Defendant's activities to collect Plaintiff, Deborah Belle's debt including but not limited to correspondence and telephone logs.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 2:

Defendant objects to the Request as overbroad. Notwithstanding said objection, see account notes identified and produced in response to Interrogatory No. 10.

3. All documents relating to all payments made through any means by Plaintiff, Deborah Belle.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 3:

Defendant objects to the Request as overbroad. Notwithstanding said objection, see account notes identified and produced in response to Interrogatory No. 10. Specifically, see the "PAYMENTS" section of the account notes.

4. All documents relating to all payments made by Plaintiff, Deborah Belle, that were cashed or were attempted to be cashed by Defendant.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 4:

Defendant objects to the Request as overbroad. Notwithstanding said objection, none, other than responsive documents previously identified.

5. All internal documents, memoranda, etc., of the Defendant's policies and procedures regarding its collection efforts beginning September 11, 2001 to the present date.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 5:

See objections and responses to Interrogatory No. 14 and documents identified and produced in response thereto.

6. All internal documents, memoranda, etc., of the Defendant's policies and procedures regarding its collection efforts for the year prior to September 11, 2001.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 6:

See objections and responses to Interrogatory No. 14 and documents identified and produced in response thereto.

7. Copies all notices utilized by Defendant in connection with post-dated checks.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 7:

NCO objects to the Request as vague, overbroad and irrelevant to the allegations contained in the Complaint. Notwithstanding said objections, see Exhibits "B" and "K" identified and produced in response to Interrogatory No. 10.

8. Copies of all notices provided to Plaintiff, Deborah Belle, in connection with the post-dated checks provided by Deborah Belle to Defendant.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 8:

See Exhibit "K" identified and produced in response to Interrogatory No. 10.

9. All operation manuals, memos, instructions or similar documents, etc., utilized by Defendant in connection with post-dated checks.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 9:

NCO objects to the Request as vague, overbroad, burdensome and irrelevant to the allegations contained in the Complaint. Notwithstanding said objections, see documents identified and produced in response to Interrogatory No. 14.

10. All operation manuals, memos, instructions or similar documents, etc., utilized by Defendant in connection with its employees' telephone calls placed to consumers.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 10:

NCO objects to the Request as vague, overbroad, burdensome and irrelevant to the allegations contained in the Complaint. Notwithstanding said objections, see documents identified and produced in response to Interrogatory No. 14.

11. All documents relied on by Defendant in response to Plaintiff's First Set of Interrogatories.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 11:

Produced.

12. Copies of all reports and documents utilized by an expert that Defendant proposes to call at trial.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 12:

None at this time.

13. All exhibits that Defendant proposes to introduce at trial.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 13:

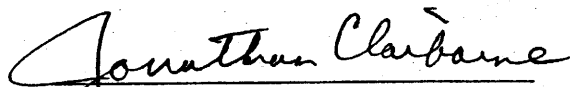
NCO has not identified what exhibits it purposes to introduce at trial.

14. All documents that contain information, data, records or tables regarding Defendant's receipt of payments via post-dated checks (a) before September 11, 2001 and (b) after September 11, 2001.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO 14:

NCO objects to the Request as vague, overbroad and burdensome. Notwithstanding said objections, no such document exists or did exist. See objections and response to Interrogatory No. 10.

Respectfully Submitted,



Jonathan E. Claiborne (Bar No. 347)
Jennifer Ryan Lazenby (Bar No. 25886)
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Attorneys for Defendant,
NCO Financial Systems, Inc.

FACT SHEET

CRS #: 466666
 Name: BELLE, DEBORAH
 Address: C/O MICHAEL C. WORSHAM, ESQ
 1916 COSNER RD
 City/State: FOREST HILL, MD 21050-2210
 Home Phone: (410) 557-6192
 Work Phone: (000) 000-0000
 Soc Sec No: 374-90-1931
 Employer: HOME PROPERTIES NY

Client #: 612656-1
 AMERICAN EXPRESS
 Acct #: 1560472340
 Regarding: 371560472341001
 Amt Referred: 823.82
 Current Bal: 643.41
 Comm Rate: 15.000%
 Costs: 0.00
 Ck Chg/Fee: 0.00
 Other: 0.00
 Interest Rate: 0.000%
 Interest Amt: 0.00
 Date Received: 10/05/01
 ***** RETURNED *****

Status: 34 RETURNED TO CLNT
 Coll Unit: TW TRACEY WILD
 Date Last: 00/00/00
 Activity Code: RE REAL ESTATE
 Anniv Date 11/01/99
 Req Fr Date 00/00/00
 Req To Date 00/00/00
 Old JDR # Last:
 Cancel Date 09/01/01
 LN Req Date 00/00/00
 LN Received Y
 SF Sent Date 00/00/00
 SF Recall
 RFS Date 00/00/00
 KRFS Balance 0.00CB Amount 000000000
 CB Date 000000
 KFSA Amount 0.00Complaint
 Cmp Date 00/00/00
 Cmp Res Date 00/00/00
 Unused Data

First:

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DEBORAH BELLE
 CEASE AND DESIST
 FAXED VY AT AMEX

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-----PAYMENTS-----

--Date--	Amount	Code	Rate
01/20/02	30.00	DX 43AX9	100.0%
12/23/01	-25.41	CR 43213	100.0%
12/21/01	30.00	DX 43213	100.0%
11/21/01	30.00	DX 43213	100.0%
10/30/01	275.00	IT 16213	15.0%
10/20/01	30.00	DX 43213	100.0%
10/05/01	0.00	97	

-----TRANSACTIONS-----

--DATE--	TIME	AC/RC	COMMENT	ID
10/09/01	02:12	SN/K		-CB
10/09/01	05:23	RA/GI		SYS
10/09/01	13:21	TA/200		A44
10/10/01	15:45	ST/ F	SMART.ALX - CBR	A14
10/10/01	15:49	SC/SC		A14
REV LASER NO INFO NO SUPPS REV CBR				
ADR MATCH POSS HME				

EXHIBIT

tabbies

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-----PAYMENTS-----				-----TRANSACTIONS-----				ID
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	----COMMENT----	
				10/10/01	15:50	TR/LM		A14
						ON MACH I D AS SELF		
				10/10/01	15:52	IR/NB		A14
						PER DA NN ON P OE		
				10/10/01	15:54	TW/LM	ON MACH	A14
				10/10/01	17:40	DC/PP	275.00 ON 10-31	A14
						CM DID AP TD AS WELL AS 11 30-275.		
						00 12 31-275.00		
				10/10/01	17:41	CS/10		A14
				10/10/01	17:41	CS/16		A14
				10/11/01	11:01	RP/RP		A06
						ON 10-31-01 FOR 275.00 1519		
				10/11/01	11:01	CS/18		A06
				10/11/01	11:01	RP/RP		A06
						ON 11-30-01 FOR 275.00 1520		
				10/11/01	11:01	RP/RP		A06
						ON 12-31-01 FOR 275.00 1521		
				10/24/01	13:47	SR/SR		A15
						GOOD EFFORTS WITH PAYMENT 275		
				11/05/01	06:10	AM/IN		SYS
						INITIAL RECALL 040302		
				11/05/01	08:45	SP/RV		A31
						CM CALLED WAS UPSET THAT HER CKING		
				11/05/01	11:24	SR/SR		A15
						PDC S RECEIEVED... GOOD JOB		
				11/19/01	09:49	SR/SR		A15
						NOTATE PDCS FOR REMANING BALANCE		
				11/19/01	17:00	CC/CC		SYS
						ACTIVITY-NU-1560472340		
				11/19/01	17:00	IO/AQ		SYS
						MITI SCRUB CODE H		
				11/21/01	00:30	SN/84		NOG
				11/26/01	18:48	SP/CO		CF8
						CM CLED IN REQ WE VOID CKS ON FILE		
						11-30..12-31...CK NUM 1520-1521 275.		
						00 X 2		
				11/26/01	18:49	DP/DP		CF8
						ON 11-30-01 FOR 275.00 1520		
				11/26/01	18:49	CS/48		CF8
				11/26/01	18:49	DP/DP		CF8
						ON 12-31-01 FOR 275.00 1521		
				11/26/01	18:49	CS/18		CF8
				12/10/01	09:12	SR/SR		PRV
						RCVD COMPLAINT LETTER FROM CM,		
						WANTING A LETTER TO SAY WE HAVE		
						DESTROYED ALL PDCS IN HOUSE AND CM		
						WANTS TO BE REIMBURSED FOR BANK		
						FEES TOTALING 70.00....		
				12/10/01	12:24	SC/SC		A14
						RESPONDED 2 COMPLAINT LTTR AND FRWD		
						2 MANAGER		
				01/03/02	16:36	SR/SR		A15
						PDCS DESTROYED LETS FOLLOW UP WITH		
						CM ON HOW BALANCE IS GOING TO BE		

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-----PAYMENTS-----				-----TRANSACTIONS-----				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	----COMMENT----	ID
							RESOLVED	
				01/08/02	16:01	CS/73		JE3
				01/14/02	11:15	TA/213		PRW
				01/14/02	11:16	CC/CC		PRW
							A1-6428 Highbanks CT	
				01/14/02	11:16	CC/CC		PRW
							CSZ-ELKRIDGE MD 21075	
				01/14/02	11:16	CC/CC	HP-4105792813	PRW
				01/14/02	11:16	CC/CC	WP-4107615024	PRW
				01/16/02	11:05	SR/SR		PRW
							RCVD REBUTAL FROM COLL..GAVE ALL	
							INFO TO JOHN EMMONS	
				01/16/02	14:54	SC/SC		GSZ
							RECD COMPLAINT DETAIL FORM ,REBUTTAL	
							, AND COMPLETED INCIDENT REPORT	
				03/12/02	15:55	SC/SC		JE3
							SENT ACCOUNT CORRECTION FORM TO	
							SANDY ROBBINS TO ISSUE DB A REFUND	
							CHECK OF 70 DOLLARS	
				03/17/02	12:32	BK/CO		SRO
							FWD TO REP TO PROCESS 70.00 NSF	
							BANK FEES	
				03/26/02	15:09	BK/CO		WLH
							REFUND CK 1007 SENT	
				03/26/02	15:09	BK/CO		WLH
							REFUND CK 1007 WAS FOR 70.00	
				04/05/02	07:01	CS/82		SYS
				04/05/02	07:01	AM/RE		SYS
							FINAL RECALL - FN NE	
				10/22/02	13:06	CC/CC	ADDRESS 1	TWI
				10/22/02	13:06	CC/CC	ADDRESS 2	TWI
				10/22/02	13:06	CC/CC		TWI
							CSZ- 00000	
				10/22/02	13:06	IM/SC		TWI
							REC D SUMMONS AND COMPLAINT FROM	
							REGISTERED AGENT. FAXED COPY WITH	
							NOTES TO ATTNY D. ISRAEL TO HANDLE	
				10/22/02	13:06	TA/	AX9	TWI

Date Printed: Oct 22, 2002

Deborah L. Belle
6428 Highbanks Court
Elkridge, MD 21075

November 26, 2001

NCO Corporate Headquarters
500 North Franklin Turnpike
Ramsey, NJ 07446

Re: Account #466666

Dear Sir or Madam:

I am writing regarding collection practices by your company that may be against Fair Debt Collection Practices. A check was cashed on my account for a payment amount I other than what I stated. I also told a collector to destroy other checks, I believe those checks have not been destroyed. I have been in contact with "Mr. Ewald" regarding these issues, I believe he has lied to me regarding my payments on this collection account.

Mr. Ewald first contacted me on October 10, 2001 regarding a collection for American Express. I told Mr. Ewald that I would mail a payment once I could look at my bank account. He told me "due to the events of September 11, 2001 NCO would no longer accept payments through the mail." He said he would take post-dated checks over the telephone. Unfortunately, I did not know my rights to collections as I do now. Mr. Ewald told me I would incur substantial penalties if I did not make the payment. He told me he could break the payments into three separate payments to avoid further fees. At the time, I felt pressured into this agreement. I gave him three check numbers to use for post-dated checks; each payment would be \$275.00. As the date approached for the first payment I realized I would need to amend the payment amount, as I had accumulated many bills while my husband was unemployed. I called Mr. Ewald, I told him I need to make check number 1519 for \$175.00 instead of \$275.00. He told me that would be "no problem". On November 3, 2001, check #1519 was cashed at my bank for \$275.00. I called Mr. Ewald on November 5th, he recalled our conversation regarding the amended check amount. He told me he did not know what happened why that amount went through. I told him a check I wrote was returned for non-sufficient funds because of this error from NCO. He told me to fax anything I had that showed the fees I incurred from this error. (Attached is a copy of that fax). I told him to destroy the other two checks, I would send a payment in the mail. He told me I would incur late fees if NCO did not receive the payments by the 26th day of the month. I told him that I would have to take that chance. (I share this checking account with my husband and he was not agreeable to this situation of post-dated checks over the telephone). I asked that he send me something in writing stating that these checks would be destroyed. He said he could not do that, he had no such form letter.

Today, November 26, 2001 I received a letter from NCO (attached) stating that a check will be deposited on November 30, 2001. I called NCO today and asked again that these checks be voided, I was told they will be. I again asked for something in writing to confirm this, the representative I talked to said she would send me something. I am not taking any chances this month, I am stopping payment on the two aforementioned checks.

I am expecting from NCO: a reimbursement for the \$25.00 fee from my bank, a reimbursement for the \$25.00 fee from the Meadowridge Landing HOA, and \$20.00 for the stop-payment fee from my bank. I am also sending a copy of this letter to my attorney, Jerome S. Lament. I will be asking my attorney to research and possibly file a lawsuit on my behalf.

Sincerely,

Deborah L. Belle

